

HALL COUNTY BOARD OF SUPERVISORS MEETING MAY 31, 2005

The Hall County Board of Supervisors met May 31, 2005, by published call in the county board meeting room, 121 South Pine, Grand Island.

CALL TO ORDER - The meeting was called to order by Chairman Pamela Lancaster.

INVOCATION - Invocation was given by Chairman Pamela Lancaster.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was given in unison.

ROLL CALL - Present on roll call were Scott Arnold, Jim Eriksen, Richard Hartman, Bob Humiston, Bud Jeffries, Pamela Lancaster and Robert Rye. Also present was a representative from the *Grand Island Independent* and Deputy County Attorney Michelle Oldham.

CONSENT AGENDA ITEMS – Eriksen made a motion and Jeffries seconded to approve the following by consent agenda:

1. Accept and place on file the minutes of the May 17 meeting
 2. 15 Accept and place on file communication from regional planning
 3. 24 Accept and place on file the Hall County Treasurer's miscellaneous receipts
- Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

PUBLIC PARTICIPATION – Chairman Lancaster called for public participation and no one responded.

4 APPROVE APPOINTMENT TO THE HALL COUNTY AIRPORT AUTHORITY BOARD

Hall County Attorney Mark Young stated that he was contacted by the Airport Authority Board Attorney Ron Depue and he expressed concern on the process that the County Board used to make the appointment. The open meeting law clearly states that if action is taken in a work-study session the board would clearly be in violation of the open meeting law. The agenda did not state action for the appointment, just the schedule for the interviews and a secret ballot cannot be taken for the appointment. This can be corrected two different ways. The applications can be referred to a sub-committee of three and conduct the interviews again and the committee can make a recommendation to the board or the board can vote on each candidate publicly and record the vote. He stated that if this is not corrected they could be problems in the future.

Lancaster expressed concern that it would be difficult to narrow a slate of applicants to choose from without doing some kind of vote. She suggested that it be referred to a committee and they come back with a recommendation. Discussion was held and the board agreed that this should be resolved today. It was decided to vote openly on each candidate.

Karen Beckman – Arnold, Eriksen, Humiston, Lancaster and Rye all voted no, Hartman and Jeffries abstained.

Chad Blushke – Arnold, Eriksen, Humiston, Jeffries, Lancaster and Rye voted no. Hartman abstained.

Doug Camplin - Arnold, Eriksen, Humiston, Jeffries, Lancaster and Rye voted no. Hartman abstained.

Curtis Griess – Hartman and Humiston yes. Arnold, Eriksen, Jeffries, Lancaster and Rye all voted no.

Carl Kostbahr - Arnold, Eriksen, Humiston, Jeffries, Lancaster and Rye voted no. Hartman abstained.

Lynn Werner – Arnold, Eriksen, Jeffries, Lancaster and Rye all voted yes, Humiston voted no and Hartman abstained.

Tom Werner - Arnold, Eriksen, Humiston, Jeffries, Lancaster and Rye voted yes. Hartman abstained.

County Attorney Mark Young stated that he would prepare a memo for the correct process to follow for appointments to the airport authority board. Discussion was held on the number of board member that can be on a committee. Michelle Oldham stated that she would research this process for the correct procedure.

6. DISCUSS AND TAKE ACTION ON MIDLAND AREA AGENCY ON AGING BUDGET REQUEST – Dick Borer with Midland Area Agency on Aging was present to discuss the budget request. The board members received information regarding the budget. This is his second year on the job and over the past year has visited all of the Senior Citizens Centers. They have been issued a challenge to revitalize the senior centers. He is present to request funding for their budget in the amount of \$23,885.00. This is based

on the \$.70 membership fee for each person over the age of 60. These numbers are based on the 2000 census. This is the same amount as last year.

Arnold made a motion and Jeffries seconded to approve the Midland Area Agency on Aging Budget in the amount of \$23,885.00. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

7 PUBLIC HEARING TO ESTABLISH COUNTY INDUSTRIAL PARK – Arnold made a motion and Humiston seconded to open the public hearing to establish a county industrial park. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Gary Hedman, CEO and president of Southern Public Power District stated that they submitted the application for establishment of the industrial park. This application is consistent with the intended usage for the land at CAAP. The application states that the land is suitable, it will be generally beneficial to the community and all of the landowners agree.

The definition of the industrial park was noted in the state statute as an industrial enterprise whose primary function is industry.

Chairman Lancaster called for public participation.

Louise Miller 1104 West Charles questioned why there is a need for another industrial park and why this property was not turned back to farming. The industrial park is squeezing out the farmer and the farming industry is a big business in Hall County.

Chairman Lancaster called for public participation.

Tom Baxter 4444 West 13th Street, He stated that he does not want to come across negatively on any industrial development, but they have ill feelings on the designation to SPPD but that has already been done, but they can guard themselves on further deterioration of agricultural relations the community. This town needs to be aware of those issues. When SPPD came with the request for skip annexation he was not in favor of this. Hall County was zoned 40 years ago to prevent skip annexation. He would like to see this used for agricultural development and he would like to see specific wording regarding in the resolution regarding that. He would like to see this as an agricultural driven industrial park.

Hartman question what he would like to see in an industrial park and questioned if the ethanol plants would not qualify. Mr. Baxter stated that teyt would qualify, but the road system would need some improvements because of the high truck traffic that would be created. He also expressed concern on the number of ethanol plants in the area.

Chairman Lancaster called for public participation.

Margaret Landis 5301 West Capital Avenue expressed concern on the proposed designation of an industrial tract. She stated that she had the opportunity to serve on the reuse committee and the original intent was to be agricultural and for the hike and bike trail and other recreational activities. This was going to be a beautiful area and not a heavy industrial tract. She also noted that the smells from the ethanol plants are

unbearable, but her first major concern is the water. She stated that she spoke with James Goeke, a hydrologist with the State, about what is going to happen to aquifer if a million gallons of water is used every day. This will significantly drop our ground water and she stressed the importance of protecting the water. She noted that she cannot put in another irrigation well, but they can use 2 million gallons of water a day for the ethanol plant. She quoted examples of a plant in Fort Dodge Iowa. The City brought out a 30-inch water pipe to provide enough water to the ethanol plant. She also noted a situation in Colorado, because of the drought they have to pay \$350.00 a month to purchase water for their trees.

She also noted Nebraska State Statute 13-1117 that when a county designates an industrial tract, the owners of the designated areas shall provide water, sewer, fire and police protection. She noted a situation where there was a fire at CAAP and the owner lost everything because of the slow response time of the fire department. She also questioned what would happen to the schools. What will happen to Northwest High School?

She also noted Mr. Baxter's concern on the odor and stated that Tom is correct the smell is unbearable. The ethanol plants run around the clock and they use a large supply of ground water. Does Nebraska need so many ethanol plants and can we support them?

Hartman stated that the industrial tract would not freeze the boundaries for the school systems but the skip annexation it would. This may need more research.

Gary Hedman stated that he would like to respond to the remarks. This tract has to be approved by all of the landowners. They are creating jobs and want to invest money in Hall County. The plant has to comply with all regulations and the three specifications for an industrial tract have been met.

Chairman Lancaster called for public participation.

Marlen Ferguson, 2208 Apache Road requested to address the industrial parks. As Hall County develops it is good to have the various types of industrial tracts. The Economic Development Corporation tries to recruit various types of agricultural businesses. The Hall County Airport has an industrial tract but there are limitations on those businesses because of the airport. The various tracts attract different types of businesses.

Hartman noted that there are a lot of different companies that contribute to the ag industry.

Mr. Ferguson stated that it is important to work together to develop this area and he also noted the importance of working with DTE Rail.

Arnold stated that it would be difficult to indicate what would be agricultural related and he would like to see diversified development. Hartman stated that he would like to see it designated as agricultural related.

Tom Baxter, T&E Cattle Company requested to speak and stated that he appreciates the opportunity to come forward and would also like to thank Margaret Landis for her concern on the natural resources. He stated that he would like to address the by products from the ethanol plants. There are some regulations that are necessary to

follow in order to manage the level of phosphates that will be spread on the land. He also expressed concern on the amount of water. In the western part of Nebraska new irrigation wells are prohibited. He also expressed concern on the quality of life in Hall County. He also expressed concern that a private company will be under the protection of the county industrial tract.

Chairman Lancaster called for public participation.

Dan Wagoner 17652 Husker Highway, Wood River stated that he is happy about the jobs but he also has a major concern on the water issue in Hall County. He also noted that even in Hall County you couldn't dig a well unless he is replacing a well but this industrial park will be a major water user.

All of the 80 acres that are to be used for the ethanol plant will not be in the industrial park. At this time there is not a signed agreement and they have 30 days to complete this.

Margaret Landis questioned if the Wolverine Plant is coming, who is going to supply the water for this plant and where will the water come from the city or the count?

Lancaster stated that if live in Nebraska all of us have an ag background and she also has a concern on water and water management,

Arnold made a motion and Jeffries seconded to close the public hearing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Hartman made a motion to designate the industrial site as agricultural related industry only. The motion did not receive a second, motion failed.

Chairman Lancaster called for another motion. Deputy County Attorney Michelle Oldham reminded the board that there is a resolution pertaining to this that needs to be approved. Hartman expressed concern that the rest of the board does not support agriculture. Ms. Oldham reminded the board that according to state statute they cannot place limitations on the industrial tract.

Arnold made a motion and Jeffries seconded to approve Resolution 05-0021 A RESOLUTION ESTABLISHING AN INDUSTRIAL AREA PURSUANT TO APPLICATION OF SOUTHERN PUBLIC POWER DISTRICT. Arnold, Eriksen, Humiston, Jeffries, Lancaster and Rye all voted yes and Hartman voted no. Motion carried.

8 10:35 A.M. BID OPENING FOR INMATE HEALTH CARE SERVICES – The following bids were received:

BIDDER	MONTHLY COST	ANNUAL COST
Michael J. McGahan, MD 2717 Lakewood Drive Grand Island, NE 68801		\$200,000.00
Dr. Stephen Budd Omaha, Nebraska	\$13,000.00	
Jennifer L. King M.D. 2727 South August Grand Island, NE	\$13,000.00	

Discussion was held. Arnold made a motion and Jeffries seconded to refer the bids to the corrections committee and come back with a recommendation in two weeks. Arnold, Eriksen, Hartman, Humiston Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

9 BID OPENING FOR INMATE PHONE SERVICES – The following bids were received:

BIDDER	COMMISSION OPERATOR SERVICE	COMMISSION CALLING CARD SALES
Synergy San Antonio, Texas Bid bond enclosed	42%	35%
Evercom Dallas, Texas	Option A 41%	Option B 43%

Jeffries made a motion and Arnold seconded to refer the bids to the corrections committee and they will come back with a recommendation in two weeks. Arnold, Eriksen, Hartman, Humiston Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

10 DISCUSS AND TAKE ACTION ON CHANGES TO HEALTH INSURANCE PLAN - Lancaster stated that the board needs to give the elected and appointed officials direction regarding the health insurance renewal for this fiscal year and also give the county clerk's office direction regarding the insurance co-pay. The board received recommendations from Lee Johnson with Mid American regarding the changes that would be necessary for the renewal. This co-pay was also discussed last year. These changes will only affect non-union employees and union employees that have a contract in place.

Jeffries made a motion and Arnold seconded to implement the changes for the county health insurance plan. Arnold, Eriksen, Hartman, Humiston Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Arnold made a motion and Jeffries seconded to increase the county employee co-pay from 5% to 10%, except for the corrections and public works department employees. This increase will be for July premium. Hartman questioned if the employees who have single coverage should also pay the co-pay. Discussion was held and the county had been informed in the past that this was not the common practice to do this and because of the CIR case it was not recommended.

Jeffries called for the question. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Chairman Lancaster excused herself from the rest of the meeting. Vice Chair Jim Eriksen will conduct the meeting.

11 DISCUSS FILLING VACANCY FOR PARK/BUILDING & GROUNDS DIRECTOR – Jeffries stated that they have a job description for a building and grounds director. The previous director also took care of the park.

Jeffries made a motion and Arnold seconded to approve the job description for the building and grounds director. Hartman stated that he did not think there was any need to hurry and hire someone because they are getting by with the current staff. He suggested waiting until January to do this. Arnold, Eriksen, Hartman, Humiston, Jeffries and Rye all voted yes and none voted no with Lancaster absent for the vote. Motion carried. Jeffries stated that the committee needs to meet to discuss the hiring process for this position.

12 UPDATE ON DONIPHAN ROAD – Hartman put this on the agenda and questioned if there has been any change. He asked if they are still going to replace the bridge, he suggested if there is a shortage of money this could be changed. There has been no change.

13 DISCUSS REQUEST FOR ENDORSEMENT TO ESTABLISH NEBRASKA USED OIL COLLECTION PROGRAM - Eriksen stated this will be tabled until the next meeting.

16 APPROVE THE BI WEEKLY PAY CLAIMS – Arnold made a motion and Jeffries seconded to approve the bi weekly pay claims. Arnold, Eriksen, Humiston, Jeffries and Rye all voted yes and none voted no. Hartman was absent for the vote and Lancaster was absent.

17 DISCUSS & AUTHORIZE CHAIR TO SIGN GRANT APPLICATION FOR 2005 JABG TECHNOLOGY GRANT –This is an application for technology dollars to purchase a computer for the juvenile diversion department. The State is requesting that the diversion programs track statistics and this will assist with that project. Arnold made a motion and Humiston seconded to authorize the chair to sign the application. Arnold, Eriksen, Hartman, Humiston, Jeffries and Rye all voted yes and none voted no with Lancaster absent. Motion carried.

26 BOARD MEMBERS REPORTS – Rye – no report

Jeffries - He stated that they have been having some problems with the sewer system at the Hall County Park. It works part of the time but there seems to be a problem with the wiring for the grinders. When they were installed there was to be a continuous cable but

the cables were spliced. The general contractor is responsible if it was not properly installed, but it has to be repaired.

Arnold – He stated that the building & grounds committee met to discuss the budgets and reported that the ADA projects have been completed and they do not feel that it is necessary to pay some one for this position.

Hartman – no report

Humiston – no report

Eriksen – He reported that Region III met to review next years budget but the County 's share will remain the same. He stated he also attended the memorial service at the veterans home.

NEW OR UNFINISHED BUSINESS – Eriksen called for new or unfinished business and no one responded.

Meeting adjourned at 11:45 a.m. The next meeting will be June 14, 2005 at 9:00 a.m.

Marla J. Conley, Hall County Clerk